

# Deputy Sheriff Fossen

ER, MONTANA

THURSDAY, OCTOBER 10, 1937

## Killed by Gunman

### Prelude To Fossen Murder

In order that Times readers may know of the events leading up to the fatal shooting of Otto Fossen, Deputy Sheriff, Saturday morning, the following is reproduced from the Havre Daily News of Monday evening:

"First link in the chain of events that lead to the roadside slaying of Otto Fossen, veteran Liberty county undersheriff, was forged in Havre about 8:15 a.m. when a Monarch sedan owned by Clarence Iverson, Frontier, Saskatchewan, was stolen.

"Iverson and some companions had parked their cars on Second Street and gone into the Buttery store coffee shop for breakfast. Leaving the coffee shop, Iverson missed his car and called police.

"Havre police sent out a radio alert on the stolen sedan and a police officer picked up Iverson at the coffee shop and started west on Highway 2 on the possibility the car could be located.

"Near the intersection of Highway 7 with Highway 2 west of Havre, the police radio brought news that the missing car had been sighted in Gildford and the driver had attempted to remove the license plates."

The Times takes the story from that point in another column in this issue.

The charges were filed before Justice Robert E. Matkin, and the case bound over without bail to the district court. No bond was set. Eujok was informed of his right to an attorney.

Every man accused of crime in the United States is innocent until proven guilty. Whether or not Eujok is the killer will be decided in court.

But for Liberty County residents, the affair will always be regarded as one of severe tragedy. This is especially true for the people of Joplin, where Fossen lived. It will be remembered that only last December, Gordon Lyle, another prominent Joplin man was shot and killed in Shelby. And now, crime and guns claim a second well loved man from this small community.

So ended the career of Liberty County's beloved deputy sheriff. Thirty years of defending the law abiding citizens of this state were brought abruptly to an end. He died in pursuit of his killer, where lesser men would have quailed in terror. He was a fearless man, and jokingly, yet admiringly, had been nicknamed "Fearless Fossen." Yet, he was a gentle man and many is the prisoner, the wayward breakers of the law that he has sent on his way, chastized for his sins, but not broken; Otto was a man who could understand the weakness of humanity, a man who kept the peace in his community, in his state and in his heart.

What greater honor than this, that a man give up his life in this cause? What greater honor indeed?

### Funeral Services For Otto Fossen Wed. Afternoon

Funeral services for Otto Selmer Fossen, 67, were held at the Bethel Lutheran church in Joplin Wednesday afternoon, Rev. Theo. L. Mendenhall officiating.

Otto Fossen was born, son of Ole and Mant Fossen, at Twin Valley, Minnesota, April 1, 1869. He departed this life Saturday morning, October 5, as a result of five gunshot wounds in his chest, received while in performance of his duty as Deputy Sheriff of Liberty County.

He grew to manhood at Twin Valley, Minnesota, and on October 28, 1913, he was united in marriage to Edith R. Holum, who survives. The couple came to Montana shortly after their marriage, filed on a homestead some 15 miles south of Joplin where they made their home until 1923, when they moved to Joplin where they have lived ever since.

For thirty years, Otto Fossen has been connected with the Sheriff's office and was one of the better-known law enforcement officers in this part of the state.

Survivors include, besides his wife, one son, Errol, who, with his family, lives at Joplin; one daughter, Marvel, now Mrs. Martin Olson, of Deer Lodge, Montana; a sister, Mrs. Melda Rogers, and a brother, Francis Fossen, both of Twin Valley, Minnesota; nine grandchildren and many nieces and nephews.

A Memorial Fund has been set up; and the relatives of Otto Fossen have stated that the fund will be divided, a part to go into construction of an addition to Bethel Lutheran church, Joplin, of which he was a member, and a part into the Liberty County Ambulance Fund in which he was intensely interested. Persons wishing to contribute to the fund may leave their offerings with Jake Rainey at the Liberty County Bank, or with Sheriff Dodds Keith at his office.



Deputy Sheriff, Otto Fossen, in a picture he liked. It was taken at the branding of the Kolstad cattle last June. Otto was always proud to be a law man. His wonderful sense of humor made him the life of the court house, and the friend of everyone in Liberty County. Otto could be the target of a joke, or he could pull a joke, with always the same fun-loving, friendly spirit.

## Donald Bujok Charged with First Degree Murder; 200 Armed Men Join Manhunt Here Saturday

Deputy Sheriff, jovial Otto Fossen was shot and killed Saturday morning, while attempting to question a hitchhiker at the Joplin approach on Highway 2. Five shots were fired at close range into the law man's throat and chest. He died enroute to Liberty County Hospital.

Held in connection with the shooting and charged with first degree murder is Donald L. Bujok, 21 of Roundup. The arrest of Bujok followed a hectic day in Liberty

County in which one of the largest manhunt's in the north Montana history was undertaken.

The affair was started about 8 a.m. when Sheriff Dodds Keith and Deputy Otto Fossen were notified that a man with a stolen car was headed this way from Havre. Keith and Fossen drove toward Joplin with the purpose of setting up a road block. On the way, Keith stopped to set up the road block. Fossen travelled to Joplin with the intent of following the stolen car. This would put the law officers in front and in back of the car. How-

ever, Fossen ran across the abandoned stolen car about two miles east of Joplin. He reported by radio to Keith that there was no one near the car, and drove to Joplin to see if anyone had gone to Joplin for help. Police radio reported that someone had tried to steal a set of license plates in Gildford, but the person had been scared off.

While in Joplin at the Farmers Union Elevator making inquiries of Cecil Heydon Fossen saw a car let a hitchhiker out at the corner of U. S. 2 and the Joplin road. Fossen called Keith on the car radio and said that he would check a hitchhiker out on the highway. Keith then decided to return to his office in Chester.

Cecil Heydon, manager of the Farmers Union Elevator had been talking to Fossen, and saw him attempt to question the hitchhiker. Heydon reported that he saw Fossen scuffle with the man. They ap-

peared to enter the car, then one man left the car and tumbled into the ditch.

It was learned here Tuesday morning that Fossen was the man pushed into the ditch. With five bullets in his neck and chest, the Deputy Sheriff, got up, ran an estimated 30 feet after the fleeing car, and fired at it twice. This report, first received Saturday, was at first discarded because by the time his gun was claimed, it had been re-loaded. Authorities naturally thought it had not been fired.

This service on the part of Otto Fossen was typical of him. It was service way beyond the call of duty.

Heydon was by then driving to the highway from the elevator, about one-half mile. When Heydon reached Fossen, the deputy sheriff said he had been shot. With the help of others, Heydon was able to load the deputy sheriff into the George Grass car. Fossen said, "take is easy boys". He died before reaching Chester.

Heydon rushed to his elevator and called the Sheriff's office in Chester. His call was received just as Keith was returning from the road block. Sheriff Keith and Lloyd Lund hurried to drive to the scene. They met Fossen's car traveling at a terrific speed. They assumed it was being driven by Joplin men and that Fossen was in the car. They turned around, and thought they were following the

Fossen car to the hospital. However, when they reached the hospital and found no sign of the car, they realized the culprit had stolen the car.

Keith and Lund returned to the Sheriff's office to put out the alarm.

While all this was taking place, the killer, apparently trying to avoid capture on the main travelled highway turned at first street east in Chester. He turned north and drove over the railroad track toward the Joe Burrows home. It is assumed that he thought he was taking a rural road. Of course, he soon came to the dead end. He abandoned the Fossen car just across the creek east and a little north of the Burrows home.

Meanwhile the men from Joplin arrived at the hospital with Fossen. He was pronounced dead upon arrival, and when the sheriff's office was called, Keith learned that his deputy and close friend of over 30 years standing had been murdered.

He sent the message out over the police radio, and within minutes road blocks were put out all over the northern part of the state. South-bound roads were also blocked.

Keith called City Marshall Joe Burrows to tell that they were looking for Fossen's car. Burrows informed the sheriff that he had seen the car parked near his home, and then law officers were certain the killer was in the Chester vicinity. Reports concerning an unknown walker north of the tracks were received and the posse,

which had quickly formed, started for the area. As they reached the track the Great Northern Empire Bullder blocked the track for a few minutes as it stopped. By the time the Empire Bullder pulled out, the killer had hidden.

In an amazingly short time armed men began to appear in large numbers. Sheriff Keith estimates that by noon there were over 200 armed men searching the area. Most were on foot, many were patrolling in cars, and six planes were combing the area.

Airmen William Hodges, Bert Alley, Ernie Temple and Ranch Aviation men volunteered and flew patrol throughout the day. Every suspicious object was immediately investigated by ground parties.

Highway Patrolmen began arriving. Border Patrolmen were on hand, as well as officers from surrounding towns. The F.B.I. men were here, and there were many others. The area where the unidentified man was last seen was searched to no avail. The searchers assumed the killer might have followed the creek into town, and Chester residents became alarmed. House doors were locked. Children were taken from the streets, and everywhere one looked there were men with guns, looking for the murderer.

By 1 p.m. it was evident that the search was not well enough organized. The searchers were then put into organized groups, and every building in Chester was searched. Still there was no sign of the killer.

Many thought he had somehow clung to the side of the Empire Bullder. Others thought he had hooked a freight. However these theories were never given much consideration by railroad men, as the trains had been watched very closely. Reuben Halverson, local Great Northern Agent said the man would have to have known where and when the train was going to stop to get on it, and then he said the train crews were watching.

Housewives were advised to keep all doors locked tight. Women who were updown shopping when the news broke were afraid to return home. Some wives refused to let their husbands leave their homes. The people of Chester were afraid. They knew it was cold, and that the killer had to have heat and food soon if he were not already under some protective cover.

The theory was advanced that if he were at some private home, perhaps he held a gun on the housewife when the searchers knocked on the door. Many of the searchers had demanded entrance at all houses. A few had not.

The work trains west of town were searched and the railroad workers were questioned.

Even the churches were searched, and after the search of the houses of worship, the doors were locked, many for the first time.

Guns were most numerous. There were rifles, pistols, shot guns, and even a sub-machine gun. The volunteers were talking in terms of "shoot first and ask questions later".

The men accosted every unidentified person in the vicinity. A freight train was stopped and searched. One man, meeting the description of the suspect was taken from the train and was questioned. He faced dozens of guns as he was ushered to the sheriff's office. He returned to the gondola with considerable celerity.

Another man was shucked from his bed and quaked with terror while a dozen rifles held him at bay until he identified himself.

By this time nearly every peace officer in Northern Montana had arrived and a bloodhound from Deer Lodge was on its way.

Night Patrols were assigned to all roads and town areas. There were 54 of the volunteers deputized for night duty, and more were getting ready to sign up for duty. Darkness approached. Tension mounted. Men, jumpy with cold, fingered their guns. F. B. I. Agents from Great Falls checked fingerprints and prepared reports. Sheriff Dodds Keith paced his office, directing search parties and dispatching messages. They were counting on the cold and hunger to drive the man out of hiding if he were still in the area. They were ready for him.

Meanwhile speculation ran high. Many were sure he had escaped town somehow. Others were just as sure he was lurking somewhere. Residents were preparing for a sleepless, worrisome night.

Two tom cats scooted across the path of some of the volunteers, and several lumps the size of baseballs rose in the throats of the worried men.

Although many of the business houses had closed, and the proprietors joined the search, others stayed open. One of these was Albright's Barber Shop. Barber Ed Mahaffey, a little after six, closed the shop and started driving home. He was one of the very few men on Chester's streets without a gun. As he passed Keith Service Station, someone called to him from the dark shadows of the Farmers Union Elevator. Mahaffey ducked behind the gasoline pump of the service station. The voice from the darkness asked him to come across the highway. He refused, and asked the man to come out in the light. Mahaffey said the man refused to come into the light but asked Mahaffey to call the state troopers. During the conversation, City Marshall Joe Burrows, who was on patrol, drove past and saw Mahaffey behind the pumps. Burrows was accompanied by Ralph Jacobson and Darrell Marshall. All three were armed.

Upon learning of the conversation they approached the toilet of the Farmers Union elevator. Burrows shot into the ground to summon other men, and to scare the fugitive. From inside came the words: "Don't shoot, don't shoot, I'll come out!" The man came out with his hands up. He was taken into custody.

A wallet, and other possessions were found inside the toilet. With the findings was a glove, one which matched a glove found at the scene of the crime.

Upon investigation, officers learned that the man's name is Donald L. Bujok, 21, Roundup, Montana. He told officers he didn't remember what he had done. He asked "What have I done?"

Upon questioning, he said he vaguely remembered driving a car. He denied ever carrying a gun, or having a scuffle with anyone.

He objected when photographers started to take his picture.

There was a line-up, and witnesses who had seen a strange man, supposedly connected with the day's events, were called in. The witnesses were George Hunnewell, Mr. and Mrs. Levi Shettel, Lloyd Lund and Don Henry.

Still the suspect talked vaguely, and said he didn't know how he got to Chester.

During the questioning, a large crowd collected outside the Sheriff's office. Feeling ran high for quick justice, but Sheriff Keith quelled the rising movement when he appeared at the door and thanked the volunteers for their day's work. The road blocks were removed. Sheriff Keith said, "I'm sure he's the man."

In about two hours, two men from Havre, who had gone home after taking part in the search earlier in the day, returned to Chester. They were Bob Smythe, Havre architect and Dr. Herbert Flom, chiropractor of Havre. They said they had picked up a hitchhiker in the morning and had let him out of their car at the Joplin approach, just before Fossen was shot. According to their story, the man who stole the car from Havre had abandoned the car when a flat tire developed. He then flagged a car going east. Then he apparently discovered he was going the wrong way, and got out to flag a ride with Smythe and Flom. They said they took him from about two miles east to the Joplin road, where they let him out. They said he was very nervous. They identified Bujok as the man.

Bujok was questioned, he still didn't remember events of the day. He asked for a lawyer. He was given a chance to call, and after several attempts, he reportedly engaged Paul Olsen of Billings to represent him. Paul is reportedly the brother of Arnold Olsen, unsuccessful 1956 Democratic candidate for Montana Governor.

Ironical as it may seem, Otto Fossen, the murdered man, was head of the 'Aronson for Governor' campaign in Liberty County during the campaign. Fossen took great pride in a picture of himself and the Galloping Swede, taken by a Times reporter during the campaign.

Bujok's mother of Roundup called early Sunday morning. She told Sheriff Keith that there must be some mistake, and that her son wouldn't do such a thing.

The search for the murder weapon became important. Officers looked for a long time Sunday. However a heavy snow Saturday night made the search difficult. The stock of what is believed to be the murder weapon was found in the toilet hole. The stock found

was from a .32 caliber Iver Johnson revolver. An attempt to bury it had been made with a long two by two. A digger belonging to Chester Utilities was used to excavate around the toilet, but no more parts of the gun were found.

Sunday, questioning of Bujok continued, and he was taken to the scene of the capture. He led officer to the side of the Farmers Union elevator, where he claimed he had put part of a gun. A thorough search did not recover any more of the gun.

Sunday afternoon Bujok told officers he had swallowed two bullets. X-rays proved the story was the truth. He was given a laxative, water in his cell was shut off, and as time and Bujok pass, perhaps the bullets will be recovered.

George Talbot of the Montana Sheriff's Association arrived late Saturday night with his famed bloodhound, "Joy." The dog proved of great value in tracing the steps of the accused killer from the car to the toilet. Officers believe he was hiding under some old car bodies near the old railroad grade in north Chester most of the day. He was certainly not in the toilet all day, as many of the posse reported searching the building.

Sunday evening County Attorney Bill Hunt filed first degree murder charges against Bujok.